

JOHN G. MCGOWAN  
Direct: 315-218-8121  
jmcgowan@bsk.com

December 16, 2006

Hon. Gustave J. DiBianco  
U.S. Magistrate Judge  
United States District Court  
Northern District of New York  
United States Courthouse  
100 South Clinton Street, Room 219  
Syracuse, NY 13261-7396

Re: *Spero Haritatos v. Hasbro, Inc. and Toys "R" Us (05-CV-930)*

Dear Magistrate DiBianco:

We represent the defendant Toys "R" Us.

I write in response to motion of Wall Marjama law firm for leave to withdraw from the representation of plaintiff's Spero Haritatos. Toys "R" Us does not oppose the motion, but we feel the court should be made aware that Attorney Robert Purcell, who has been involved in representing the plaintiff, has left the Wall Marjama firm and is now at Hiscock & Barclay. Toys "R" Us is involved in litigation in United States District Court, Western District of New York where Hiscock & Barclay represents Toys "R" Us as local counsel. Apparently recognizing that Mr. Purcell joining their firm and pursuing Toys "R" Us in this litigation presents a conflict of interest, Hisock & Barclay wrote to Toys "R" Us asking that it waive the conflict of interest. Toys "R" Us has declined that request and I have advised Mr. Purcell of that decision both by voice mail and letter. Since that circumstance may impact upon Wall Marjama's motion or your decision with respect to it, I wanted to make you aware of the situation.

Respectfully yours,

BOND, SCHOENECK & KING, PLLC

John G. McGowan  
Bar Roll 501388

JGM:bc

cc: Kim Landsman, Esq.  
Robert Purcell, Esq.  
James Muldoon, Esq.

Hon. Gustave J. DiBianco  
December 16, 2006  
Page 2

DO NOT PRINT – ADDRESSES ONLY:

Kim Landsman, Esq.  
Patterson, Belknap, Webb & Tyler LLP  
1133 Avenue of the Americas  
New York, NY 10036-6710

Robert Purcell, Esq.  
Hiscock & Barclay, LLP  
One Park Place  
300 South State Street  
P.O. Box 4878  
Syracuse, NY 13202

James Muldoon, Esq.  
Wall Marjama  
101 South Salina Street  
Suite 400  
Syracuse, NY 13202-1937